



BARRY TOWN COUNCIL
CYNGOR TREF Y BARRI

PUBLIC BODIES (ADMISSION TO MEETINGS) ACT, SECTION 1(4) AND LOCAL GOVERNMENT ACT 1972, SCHEDULE 12, PARAGRAPH 26(2)(A)

PURSUANT TO THE REQUIREMENTS OF THE ABOVE STATUTORY PROVISIONS, NOTICE IS HEREBY GIVEN THAT A MEETING OF THE PERSONNEL COMMITTEE WILL BE HELD VIRTUALLY ON MONDAY 25 JANUARY 2021 AT 7.00 PM. FOR THE PURPOSE OF TRANSACTING THE BUSINESS SHOWN IN THE AGENDA SET OUT BELOW.

A FULL SET OF PAPERS CAN BE ACCESSED ON OUR WEBSITE VIA WWW.BARRYTOWNCOUNCIL.GOV.UK

IF MEMBERS OF THE PUBLIC WISH TO ASK QUESTIONS, PLEASE SUBMIT THESE TO THE CHIEF OFFICER (TOWN CLERK) PRIOR TO THE MEETING AS DURING THIS EMERGENCY PERIOD, PUBLIC PARTICIPATION AT COUNCIL MEETINGS IS LIMITED.

THE MEETING WILL BE HELD IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL AUTHORITIES (CORONAVIRUS) (MEETINGS) (WALES) REGULATIONS 2020 ALLOWING PARTIAL OR FULL REMOTE ATTENDANCE OF COUNCIL MEMBERS.

Yours faithfully

A handwritten signature in black ink that reads 'Emily Forbes'. The signature is written in a cursive style with a large, flowing 'E' and 'F'.

Emily Forbes
Chief Officer

AGENDA

- 1. Apologies for absence**
- 2. To receive declarations of interest under the Council's Code of Conduct (Note: Members seeking advice on this item are requested to contact the Monitoring Officer at least 72 hours before the meeting)**

3. **Well-being of Future Generations (Wales) Act 2015**
(To note)

*Personnel Committee members will note that this Act sets out the requirement for a public body to act in a manner which seeks to ensure **that the needs of the present are met without compromising the ability of future generations to meet their own needs.***

In order to act in that manner, a public body must take account of the following things:

- (a) the importance of balancing short term needs with the need to safeguard the ability to meet long term needs, especially where things done to meet short term needs may have detrimental long term effect;*
- (b) the need to take an integrated approach, by considering how—*
 - i. the body's well-being objectives may impact upon each of the well-being goals;*
 - ii. the body's well-being objectives impact upon each other or upon other public bodies' objectives, in particular where steps taken by the body may contribute to meeting one objective but may be detrimental to meeting another;*
- (c) the importance of involving other persons with an interest in achieving the well-being goals and of ensuring those persons reflect the diversity of the population of the part of Wales in relation to which the body exercises functions;*
- (d) how acting in collaboration with any other person (or how different parts of the body acting together) could assist the body to meet its well-being objectives, or assist another body to meet its objectives;*
- (e) how deploying resources to prevent problems occurring or getting worse may contribute to meeting the body's well-being objectives, or another body's objectives.*

4. **To approve and sign the minutes of a meeting of the Personnel Committee held on 12 October 2020**
(Pages 1312-1320)

FINANCIAL REPORTS

5. **Budget Monitoring Report to 31 December 2020**
(Pages 1321-1322)

6. **Date of Next Meeting**

The next meeting of the Personnel Committee is scheduled for 22 March 2021

7. Exclusion of the Press & Public

In accordance with section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public are excluded from the remainder of the meeting.

STAFFING MATTERS

8. **TOIL** (Pages 1323-1324)

9. **Staffing update** (Pages 1325-1329)

Distribution

Electronic notification of summons and front page Agenda to all Committee members. Email notification of electronic papers to all Barry Town Councillors (22). A full copy of the agenda and papers for this meeting (with the exception of confidential items) will be available at the Town Council Offices and at Barry Library for inspection; electronic copies to Barry & District News.

This document is available in large print and other formats upon request/Cewch y ddogfen hon mewn pring bras a ffor matiau eraill drwy holi.

BARRY TOWN COUNCIL

DRAFT MINUTES OF THE PERSONNEL COMMITTEE HELD ON MONDAY 12 OCTOBER 2020 AT 7.00 PM

PRESENT: Councillors Charles (Chairperson) together with Councillors Clarke, Payne (Vice Chair – arrived at 7.05), Perkes, William, Wilkinson (arrived at 19.37) and Wright

ALSO PRESENT: Emily Forbes - Chief Officer
Mark Sims – Deputy Chief Officer
Amanda Evans – Facilities and Cemeteries Manager
Rhian Burns – Administrator
Councillor N Hodges - Observer

R245. **APOLOGIES FOR ABSENCE**

None received.

R246. **DECLARATIONS OF INTEREST**

Councillor N Hodges noted that whilst he was not a member of the committee he was the LEA representative for Ysgol Sant Baruc (Agenda Item 12)

R247. **WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015**

RESOLVED: That the Well-being of Future Generations (Wales) Act 2015 be received and noted.

R 248 **TO APPROVE AND SIGN THE MINUTES OF A MEETING OF THE PERSONNEL COMMITTEE HELD ON 28 JULY 2020**

RESOLVED: That the minutes of a meeting of the Personnel Committee held on 28 July 2020 be approved and signed as a correct record.

R 249 **PETITIONS POLICY**

Members received a proposed Petitions Policy. The Chief Officer advised members this had been explored following petition presented to Council regarding the naming on the Cemetery Approach Community Centre. She requested that members agree the numbers of signatories that would be required for a petition to be raised at a Council meeting.

Councillor Perkes noted that she felt the number of signatories should be significant enough to warrant raising and suggested a number of 100 signatories.

Councillor Clarke suggested a graded approach with the following actions to take place dependent on number of signatories

- 1 – 20 – dealt with as correspondence.
- 21 – 100 – a written response by a senior officer.
- 101 – 500 – raised at the most appropriate committee meeting.
- 501 plus – raised at a meeting of full council.

Councillor Perkes noted that thought should be given to the nature of the petition as well as numbers of signatories.

Councillor Payne noted that petitions relating to marginal issues experienced by small numbers of people may receive small numbers of signatories but nonetheless may still be important.

Councillor William noted that he liked the idea of a graded response. He also noted that the best way for the public to have issues debated at Council meetings was to approach individual Councillors and ask for the issue to be placed on the agenda.

The Chief Officer advised that under the terms of the policy any petition received would only be put forward for debate and not necessarily agreed with.

A vote was taken on Councillor Clarke's proposal of a graded approach. The result of which were –

For – 2
Against - 2

RECOMMENDED: To a meeting of the Finance, Policy and General Purposes Committee that the Petitions Policy be approved and adopted with the petition numbers and responses included being the graded response outlined above.

R 250

PENSIONS AND RETIREMENT POLICY

Retirement and Pensions Policy for consideration.

RECOMMENDED: To a meeting of the Finance, Policy and General Purposes Committee that the Petitions Policy be approved and adopted subject to staff and union review.

R 251

BUDGET MONITORING REPORT AUGUST 2020

Members received a budget monitoring report to 31 August 2020, indicating actual income and expenditure up to the end of month five in the 2020/21 financial year.

RESOLVED: That the budget monitoring report for August 2020 be received, noting the projected out-turn for the year is to be underspent by £31,550.

R 252

DRAFT BUDGET ESTIMATES FOR 2021/2022

Members received the draft Personnel budget estimates for 2021/22.

The Chief Officer left the meeting for a Training item to be discussed.

It was reported that with a new trainee now in place, as well as the requirements to achieve Silver Charter for the Bereaved Accreditation for our Cemetery, there are a number of training courses required to be delivered over the next few years which are externally accredited for staff. Excavator training is particularly expensive as well as Skid Steer and Forward Tipping Dumper Truck training required.

It was suggested that an additional £4,000 is included in the budget for 2021/22. Members agreed that they were in favour of the suggested training budget allocation for Cemetery staff.

At the Chief Officer's Appraisal Panel last year, Appraisers agreed that the Chief Officer could explore a new Masters Programme being designed by the team who run ILCA, CiLCA and the Community Governance Degree at Level 6. The Masters Level qualification (at Level 7) is being developed to be delivered from April 2021 through the SLCC's partnership with De Montfort University who accredit the other Clerk's Qualifications. The Costs are yet to be confirmed, but estimated to be £3,500 per annum for 2 years for 2021/22 and 2022/23.

Members discussed the information and felt they would need to receive a business case showing the benefit to the Council for the suggested training budget allocation before inclusion within the Training Budget for 2021/22 and 2022/23. This would need to be submitted before the Draft Budget is finalised at the December 2020 meeting.

RESOLVED: That the Chief Officer circulate a business case to Personnel Committee members showing the benefit to the Council for the suggested training allocation before inclusion in the Training budget for 2021/22.

RECOMMENDED:

- 1. That an additional £4,000 is included in the budget for 2021/22 for the purpose of training for Cemetery staff.**
- 2. To the Finance, Policy and General Purposes Committee meeting being held on 16 November 2020 that the draft budgets for the 2021/22 financial year be approved.**

R 253 **COVID-19 RISK ASSESMENT**

Members received a Covid-19 related risk assessment.

RESOLVED: That the Covid-19 risk assessment be received and noted.

R 254. **DATE OF NEXT MEETING**

RESOLVED: That the next meeting of the Personnel Committee will be reviewed in September 2020, noting that a short meeting will take place to discuss the resolved item at agenda item R 252.

R 255. **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That in accordance with Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be excluded from the remainder of the meeting.

R 256. **MINOR AUTHORITY REPRESENTATIVE VACANCIES AND APPLICATION – YSGOL SANT BARUC**

Members discussed the advertisement of future Minor Authority Representative vacancies. The Chief Officer outlined the costs involved in advertising in the press. Members felt that social media and school and community noticeboards should be utilised in the first instance.

Members were provided with a list of Minor Authority Representative vacancies. Members considered two applications received in relation to Ysgol Sant Baruc and a vote took place, the results of which were –

For Sara Dodd – 1
For Helen Jennings – 5

Members received an application that had been submitted for Palmerston Primary School. Members considered the application and agreed to appoint the applicant.

Members were advised that Cadoxton Primary School had requested authority to appoint a Minor Authority Representative themselves. Members agreed that Cadoxton Primary School would be able to put forward a new representative, but that this Council should have final approval of the appointment. Due to timescales, the Committee agreed the application could be circulated and agreed electronically.

RESOLVED:

1. That Helen Jennings is appointed the Minor Authority Representative for Ysgol Gwaun Y Nant and that Helen Jennings is advised that she has been successful in the appointment of the Minor Authority Representative role on behalf of Barry Town Council.
2. That Kate Clark is appointed the Minor Authority Representative for Palmerston Primary School and that Kate Clark is advised that she has been successful in the appointment of the Minor Authority Representative role on behalf of Barry Town Council.
3. That Cadoxton Primary School be able to suggest a Minor Authority Representative, noting that this Council retains the final approval of the appointment and that the application could be circulated and agreed electronically.

R 257 **TOIL**

Members were provided with the current levels of TOIL for officers with a breakdown of accrual and TOIL taken since last reported.

RESOLVED: That the levels of TOIL for officers be received and noted.

R 258 **NJC PAYSCALES AND ANNUAL LEAVE**

Members were advised of the new NJC Pay Agreement which contained implications for the Council's allocation of Annual Leave.

RESOLVED: That the Personnel Committee agrees to an equitable approach across the organisation giving each person an additional 1 day annual leave (on entry to the organisation) [pro rata'd for part time staff] to be added to their leave entitlement from 1 April 2020, with the 5 days leave after 5 years continuous service remaining as it is.

R 259 **REWARD AND RECOGNITION OF STAFF THROUGHOUT COVID-19 PANDEMIC**

Members were asked for their views on the reward and recognition of Council Staff delivering services in the challenging environment presented by the Covid-19 / Coronavirus Pandemic.

Councillor Wilkinson arrived at the meeting.

Members felt that a one off extra day's holiday, to be taken during the Christmas/New Year shutdown would be an appropriate reward to staff.

RESOLVED: That an extra day's holiday to be taken over the Christmas/New Year period be added to all staff's holiday allowance for the 2020/21 period.

R 260

CONSULTATION WITH CEMETERY STAFF

Members were asked to resolve a way forward on how the cemetery would be secured during the summer opening hours.

Members discussed the responses given by staff members during the consultation.

The Chair advised that she felt that asking staff to carry out two 11.00 – 7.00 shifts per month was not too onerous and that as a service provider to the population of Barry it was important to respond to the needs of people visiting the cemetery.

Councillor Clarke noted that it should be considered whether any staff would leave if a variation of contractual hours were implemented as this would have budget implications via recruitment and training.

Councillor Wiliam noted that he did not feel any of the reasons given by staff were conclusive enough to retain the current working hours.

Councillor Payne noted that she felt given the current uncertainty with ongoing restrictions due to Covid-19 it was not the best time to be making changes to working hours and that the status quo should be maintained.

Councillor N Hodges noted that whilst he was disappointed with the response from staff, using the external contractor had gone well and he would be happy for this to continue.

Councillor Perkes advised that she felt the wants of the staff should be listened to and that there should be no changes to their working hours made. She noted that the costs for the external contractor were not unreasonable.

Councillor Wright noted that she did not feel that any of the reasons given by the staff were strong enough to prevent a change in working hours.

Councillor Wilkinson queried whether the external contractor was able to continue the service going forward and what the cost would be. The Cemeteries and Facilities Manager advised that the external contractor would be able to carry out the service but would need to raise their hourly rate if only attending for two evenings per week rather than five.

Councillor Wiliam left the meeting.

The Chair proposed that a variation of contractual hours be implemented. A vote took place, the result of which were –

For – 3

Against – 3

The Chair took the casting vote and the motion was passed.

RESOLVED: That a variation of contractual hours worked be implemented whereby 8 members of staff cover Thursday and Friday gate closing on a rota (approx. 13 11:00 – 19:00 shifts per Team member across the 6 month period). That the Chief Officer is authorised to liaise with staff and unions and via ACAS to move to a variation of contract process with staff if required.

R 261

RETIREMENT UPDATE

Members received an update on the retirement plans of a staff member.

RESOLVED: That the update be received and noted.

Cllr Clarke and Cllr Perkes (as Members of the Council's Appeals Panel) left the meeting before the next item was discussed.

R 262

DISCIPLINARY AND GRIEVANCE UPDATE

The Chief Officer provided members with an update on an ongoing disciplinary and grievance issue. She advised members that investigations by an external party had taken place to allow a thorough, unbiased report to be produced. She also noted that ACAS had been consulted throughout the process and that numerous steps and strategies had been put in place to attempt to resolve the matter. The Grievance had not been upheld by the Chief Officer and was now being appealed by the individual.

RESOLVED: That the update be received and noted.

The meeting closed at 20.20pm

Signed

Dated

FOR INFORMATION ONLY

ACTION SHEET - EXTRAORDINARY PERSONNEL COMMITTEE -12 OCTOBER 2020

| MINUTE NO. | ACTION TO BE TAKEN | ACTION TO BE TAKEN BY | DATE ACTION TO BE CARRIED OUT | PROGRESS |
|------------|---|-----------------------|-------------------------------|--|
| R 249 | To a meeting of the Finance, Policy and General Purposes Committee that the Petitions Policy be approved and adopted with the petition numbers and responses included being the graded response outlined above. | CO | 16.11.20 | complete |
| R 250 | To a meeting of the Finance, Policy and General Purposes Committee that the Pensions Policy be approved and adopted subject to staff and union review. | CO | 16.11.20 | complete |
| R 252 (1) | That the Chief Officer circulate a business case to Personnel Committee members showing the benefit to the Council for the suggested training allocation before inclusion in the Training budget for 2021/22. | CO | 08.12.20 | having spoken with the University, the CO is likely to undertake a PhD and not the Masters level. It is hoped that a bursary will be applied for; costs have therefore not been included in the Council budget |
| R 252 (2) | That an additional £4,000 is included in the budget for 2021/22 for the purpose of training for Cemetery staff. | DCO/RFO | 16.11.20 | complete |
| R 252 (3) | To the Finance, Policy and General Purposes Committee meeting being held on 16 November 2020 that the draft budgets for the 2021/22 financial year be approved. | CO | 16.11.20 | complete |
| R 258 | That the Personnel Committee agrees to an equitable approach across the organisation giving each person an additional 1 day annual leave (on entry to the organisation) [pro rata'd for part time staff] to be added to their leave entitlement from 1 April 2020, with the 5 days leave after 5 years continuous service remaining as it is. | CO | 16.11.20 | complete |

| | | | | |
|-------|---|----|----------|-------------|
| R 259 | RESOLVED: That an extra day's holiday to be taken over the Christmas/New Year period be added to all staff's holiday allowance for the 2020/21 period. | CO | 16.11.20 | complete |
| R 260 | That a variation of contractual hours worked be implemented whereby 8 members of staff cover Thursday and Friday gate closing on a rota (approx. 13 11:00 – 19:00 shifts per Team member across the 6 month period). That the Chief Officer is authorised to liaise with staff and unions and via ACAS to move to a variation of contract process with staff if required. | CO | Jan-21 | in progress |

BUDGET MONITORING REPORT DECEMBER 2020**Report Author**

Mark Sims, Deputy Chief Officer

Attached: A. Budget Monitoring Report December 2020 (1 page)

Purpose of Report

To provide members with the Committee's income and expenditure in the 2020/21 financial year as at the end of December 2020.

Background Information

On the following page is the budget monitoring report to 31 December 2020, indicating actual income and expenditure up to the end of month nine in the 2020/21 financial year.

Recommendation

Members are requested to receive the budget monitoring report for December 2020 noting the projected out-turn for the year is to be underspent by £24,939.

Budget Monitoring Report to 31st December 2020.

| Gross Expenditure | | | | | | | | | |
|--|----------|----------------|----------------|----------------|---------------|----------------|----------------|---------------|---|
| Description | Item No. | Budget | Expenditure | Committed | Balance | Budget | Year End | Projected | |
| | | 12 Months | 9 Months | Expenditure | | 12 Months | Projections | Variance | |
| | | £ | £ | £ | £ | £ | £ | £ | £ |
| Personnel Committee | | | | | | | | | |
| M&S/Salaries | 1 | 345,265 | 247,358 | 82,980 | 14,927 | 345,265 | 330,338 | 14,927 | |
| Planning/Salaries | 1 | 10,500 | 9,352 | 3,702 | -2,554 | 10,500 | 13,054 | -2,554 | |
| Merthyr Dyfan Cemetery/Salaries | 1 | 318,100 | 225,533 | 79,671 | 12,896 | 318,100 | 305,204 | 12,896 | |
| Porthkerry/Salaries | 1 | 15,000 | 11,250 | 3,750 | 0 | 15,000 | 15,000 | 0 | |
| Pioneer Hall/Salaries | 1 | 25,725 | 17,120 | 4,935 | 3,670 | 25,725 | 22,055 | 3,670 | |
| Community Building/Salaries | 1 | 12,400 | 0 | 0 | 12,400 | 12,400 | 0 | 12,400 | |
| M&S/Equipment | 16 | 3,000 | 1,000 | 2,000 | 0 | 3,000 | 3,000 | 0 | |
| Merthyr Dyfan Cemetery/Equipment | 9 | 5,000 | 7,150 | 250 | -2,400 | 5,000 | 7,400 | -2,400 | |
| Pioneer Hall/Equipment | 9 | 500 | 61 | 439 | 0 | 500 | 500 | 0 | |
| Community Building/Equipment | 8 | 500 | 9,026 | 6,474 | -15,000 | 500 | 15,500 | -15,000 | |
| M&S/General Salaries Contingency | 23 | 30,000 | 11,428 | 18,572 | 0 | 30,000 | 30,000 | 0 | |
| M&S/Health and Safety | 24 | 5,000 | 253 | 4,747 | 0 | 5,000 | 5,000 | 0 | |
| Corporate/Staff Suggestion Scheme | 4 | 500 | 0 | 500 | 0 | 500 | 500 | 0 | |
| Corporate/Councillor Training | 6 | 2,000 | 0 | 1,000 | 1,000 | 2,000 | 1,000 | 1,000 | |
| Corporate/Staff Training | 7 | 16,000 | 3,484 | 12,516 | 0 | 16,000 | 16,000 | 0 | |
| Total Expenditure | | 789,490 | 543,015 | 221,536 | 24,939 | 789,490 | 764,551 | 24,939 | |
| Our budget for the year is £789,490 with actual expenditure for the 9 months to 31 December 2020 of £543,015 with committed expenditure of £221,536 resulting in an underspend of £24,939. | | | | | | | | | |
| Our projected out-turn for the year is to be underspent by £24,939. | | | | | | | | | |
| Staff Training Breakdown | | | | | | | | | |
| Statutory | | £ 450 | | | | | | | |
| Occupational | | £ 3,034 | | | | | | | |
| Vocational | | £ - | | | | | | | |
| | | £ 3,484 | | | | | | | |